

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CITY OF BOSTON, INSPECTIONAL  
SERVICES DEPARTMENT,  
Plaintiff,

v.

JAMES S. DICKEY and  
EAST FOURTH STREET, LLC  
Defendants.

CIVIL ACTION NO.

**DEFENDANTS' NOTICE OF REMOVAL  
TO THE UNITED STATE DISTRICT COURT**

Pursuant to the provisions of 28 U.S.C. § 1443 and 28 U.S.C. § 1446, defendant James S. Dickey ("Defendant"), with the consent of defendant East Fourth Street LLC, hereby gives notice of his removal of this action to the United States District Court for the District of Massachusetts from the Eastern Division of the Housing Court of Massachusetts, County of Suffolk. Removal is based on the following grounds:

1. The plaintiff City of Boston Inspectional Service Department ("Plaintiff") commenced this action in the Eastern Division of the Housing Court of Massachusetts, County of Suffolk, by filing an *Verified Petition for the Appointment of a Receiver to Enforce the State Sanitary Code* ("Verified Petition") on or about December 26, 2017. See the Verified Petition, true and accurate copies of which are attached hereto as Exhibit A, (sans exhibits). The Verified Petition requests that the Boston Housing Court appoint a Receiver for the Defendant's property, pursuant to M.G.L. 111 section 127I (the "Receivership Statute").

2. The Eastern Division of the Housing Court has interpreted the Receivership Statute to allow that Court to seize and sell property owned by African-Americans to friends of

U.S. DISTRICT COURT  
DISTRICT OF MASS.

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FILED  
IN CLERKS OFFICE

1/30/18  
This is not a related case. It  
should be removed randomly.